

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

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|---------------------------------|---|---------------------------|
| In the Matter of the Revocation |) | ORDER OF |
| |) | |
| or Suspension of the Educator |) | SUMMARY SUSPENSION |
| |) | |
| Certificate of David M. Wolfe, |) | |
| |) | |
| Certificate 223299 |) | |

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on October 11, 2006. In accordance with S.C. Code Ann. § 1-23-370(c) (2004), the State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of David M. Wolfe, certificate 223299, as a result of his arrest on September 22, 2006, on the charges of contributing to the delinquency of a minor and second degree sexual exploitation of a minor. The Department has reason to believe that, due to the nature of the allegations of misconduct against Mr. Wolfe, he may pose a threat to the health, safety, or welfare of students that may be under his instruction. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Wolfe's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Wolfe of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

FINDINGS OF FACT

Mr. Wolfe holds a valid professional certificate and has one year of teaching experience. On September 18, 2006, Florence County School District One placed Mr. Wolfe on administrative leave from his position as a teacher at South Florence High School, upon learning that the Florence County Sheriff's Office was investigating Mr. Wolfe's conduct. The

allegations against Mr. Wolfe included providing alcohol to minors and storing inappropriate pictures of minors on his school computer. Mr. Wolfe was arrested on September 22, 2006, on charges of contributing to the delinquency of a minor and second degree sexual exploitation of a minor.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (1992). In accordance with S.C. Code Ann. § 1-23-370(c) (2004), “If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action.” The State Board finds that there is reason to believe that Mr. Wolfe may pose a threat to the welfare of students that may be under her instruction. Accordingly, the State Board summarily suspends Mr. Wolfe’s educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By: _____
Joe Isaac
Chair

Columbia, South Carolina
October 11, 2006